

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6321

BILL NUMBER: SB 33

NOTE PREPARED: Nov 15, 2004

BILL AMENDED:

SUBJECT: Environmental Issues.

FIRST AUTHOR: Sen. Mrvan

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires the Department of Environmental Management to encourage and advise local health departments in developing facilities and establishing standards with respect to certain environmental issues. It also requires environmental rulemaking boards to adopt rules concerning the control of noxious odors.

Effective Date: Upon passage.

Explanation of State Expenditures: Currently, IDEM is responsible for encouraging and advising local governmental units in developing facilities or establishing standards with respect to environmental issues. According to this provision, IDEM is required to do the same for the 95 local health departments that exist in the state. Expenses associated with advising local health departments would depend on the format and extent of the advice given.

IDEM is also required to adopt rules to establish methods by which an odor is determined to be noxious and procedures under which a person could petition the department to begin an administrative proceeding to abate a noxious odor. According to IDEM, the agency does not have ample staff expertise with respect to noxious odors to carry out the provisions of this bill. If the number of petitions for abatement resulting from this provision exceeds the capabilities of existing department resources, IDEM would need additional resources to accommodate an increase in administrative proceedings. The impact of this provision is indeterminable and is dependent on the number of petitions the department receives. The costs associated with the rule-making process have yet to be determined.

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*, above.

Explanation of Local Revenues:

State Agencies Affected: Department of Environmental Management.

Local Agencies Affected: Local Health Departments.

Information Sources: Indiana State Department of Health, http://www.in.gov/isdh/links/local_dep/

Fiscal Analyst: Valerie Ruda, 317-232-9867.